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April 4, 2005



In re Application of:

Applicant : Whitby, et al.  
Patent No. : 6,851,250 B2  
Issued : February 8, 2005  
Title : PACKAGE WRAPPING MACHINE WITH AUTOMATIC  
PACKAGE POSITIONING PRIOR TO WRAPPING  
Docket No. : 006593-1908  
Examiner : Louis K. Huynn Art Unit: 3721

Commissioner of Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

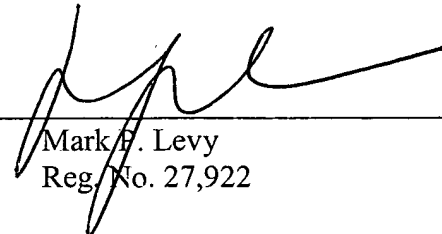
Sir:

Transmitted herewith is/are the following paper(s):

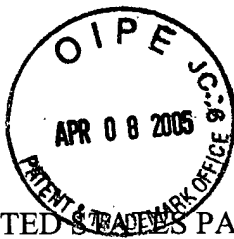
\_\_\_\_ Petition for Extension of Time  
\_\_\_\_ Notice of Appeal  
\_\_\_\_ Request for Oral Hearing  
\_\_\_\_ Brief on Appeal  
 X  CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322  
  
 X  No fee is required.  
\_\_\_\_ A check in the amount of \$100.00 is attached.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §2.6 which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809. Two copies of this sheet are enclosed.

Respectfully submitted,

By   
Mark E. Levy  
Reg. No. 27,922

Enclosures



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Applicant : Whitby, et al.  
Patent No. : 6,851,250 B2  
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Hon. Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria VA 22313-1450

CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322

A Certificate of Correction is requested pursuant to the procedure for handling  
Certificates of Correction.

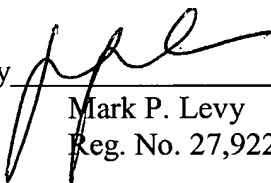
The Certificate of Correction requests that the patent be amended in column 7, line 35 (claim 3) to change "the path" to read as --the defined path--and that the patent be amended in column 8, line 28 (claim 4) to change "the path" to read as --the defined path--. The Examiner intended these changes to be made as reflected in the Examiner's Amendment included with the Notice of Allowability (copy enclosed) in which the Examiner sought to amend both application claim 29 at line 15 and application claim 30 at line 15 to change "a path" to --a defined path--. However, the Examiner's Amendment should have amended both application claim 29 at line 15 and application claim 30 at line 15 to change "the path" to --the defined path--. Accordingly, entry of this Certificate of Correction is appropriate.

No fee is required since the corrections were the result of mistakes made by the Patent Office.

Enclosed are two completed copies of Form PTO 1050 for submitting the Certificate of Correction to us.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §2.6 which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809.

Respectfully submitted,

By  \_\_\_\_\_  
Mark P. Levy  
Reg. No. 27,922

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UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,851,250 B2  
DATED : February 8, 2005  
INVENTOR(S) : Michael A. Whitby, et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 7, Lines 35 – Change "the path" to --the defined path--.

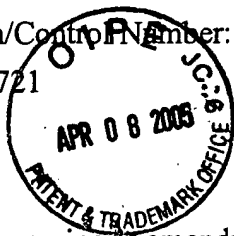
Col. 8, Line 28 – Change "the path" to --the defined path--.

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DAYTON, OH 45401-8801

Patent No. 6,851,250B2

No. of add'l copies  
@ 50¢ per pag

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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael Nieberding (36,316) on September 01, 2004.
3. The application has been amended as follows:

***In Claim 27:***

"a laterally extending axis" (lines 24-25) has been changed to: --a linear laterally extending axis--.

***In Claim 28:***

"a laterally extending axis" (line 25) has been changed to: --a linear laterally extending axis--.

***In Claim 29:***

"a path" (line 6) has been changed to: --a defined path--;

"a path" (line 15) has been changed to: --a defined path--;

"a laterally extending axis" (line 21) has been changed to: --a linear laterally extending axis in response to said controller--.

***In Claim 30:***

"a path" (line 6) has been changed to: --a defined path--;

"a path" (line 15) has been changed to: --a defined path--;

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“a laterally extending axis” (line 21) has been changed to: --a linear laterally extending axis in response to said controller--.

4. The following is an examiner’s statement of reasons for allowance:

The prior art of record fails to disclose and/or teach a wrapping machine for wrapping trayed food products that comprises in combination a conveying system including a first conveyor 14 and a second conveyor 18 for moving trayed food products along a defined path in a desired lateral position to the wrapping station, wherein the output end 28 of the first conveyor moves along a linear laterally extending axis 36 in response to the controller 24 while the input end of the first conveyor 14 remains laterally stationary (claims 27 and 29).

Similarly, the prior art of record fails to disclose and/or teach a wrapping machine for wrapping trayed food products that comprises in combination a conveying system including a first conveyor 14 and a second conveyor 18 for moving trayed food products along a defined path in a desired lateral position to the wrapping station, wherein the input end 30 of the second conveyor moves along a linear laterally extending axis in response to the controller 24 while the output end of the second conveyor remains laterally stationary (claims 29 and 30).

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

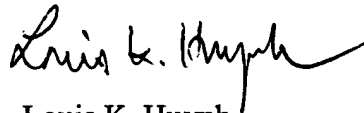
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is (703) 306-5694.

The examiner can normally be reached on M-F from 9:30AM to 5:00PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Louis K. Huynh  
Patent Examiner  
Art Unit 3721

September 02, 2004